

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RONALD HOLLON,)	
)	
Plaintiff,)	
)	
v.)	
)	CIVIL ACTION FILE NO.:
CSX TRANSPORTATION, INC.)	2:06-CV-1099-WKW
)	
Defendant.)	
_____)	

REPORT OF PARTIES' RULE 26 PLANNING MEETING

1. Appearances:

Pursuant to Fed. R. Civ. P. 26(f), a meeting of the parties' representatives was held via telephone on January 30th, 2007.

(a) Appearing on behalf of plaintiff:

Gary E. Atchison, Esq.

(b) Appearing on behalf of defendant:

William C. Barker, Esq.

2. Parties and Pleadings:

(a) The plaintiff shall have until April 1, 2007, to join any additional parties and amend the pleadings.

(b) The defendant shall have until May 1, 2007, to join any additional parties and amend the pleadings.

3. Dispositive Motions:

All potentially dispositive motions must be filed no later than September 1, 2007.

4. Expert Testimony:

Unless modified by stipulation of the parties, the disclosure of expert witnesses – including a complete report under Fed. R. Civ. P. 26(a)(2)(B) from any specially retained or employed expert – are due:

- (a) From the plaintiff: June 1, 2007;
- (b) From the defendant: July 1, 2007.

5. Discovery Limitations and Cutoffs: The parties jointly propose to the Court the following discovery plan:

Discovery is needed on the following subjects: liability, defenses and damages.

Settlement cannot be realistically evaluated prior to substantial discovery.

- (a) Unless modified by stipulation of the parties:

Depositions:

Maximum of 10 depositions by plaintiff and 10 depositions by defendant, with a maximum time limit of 7 hours per deposition, unless extended by agreement of the parties.

Interrogatories:

Maximum of 30 by each party, with responses due within 30 days after service.

Request for Admission:

Maximum of 25 by each party, with responses due within 30 days of service.

Request for Production

There shall be a maximum of 30 requests for production by each party, with responses due within 30 days after service.

Supplementation:

Supplements under Rule 26(e) are due 30 days before the close of discovery.

- (a) Pre-discovery disclosure: The parties shall exchange the information required by Local Rule 26.1(a)(1) by March 1, 2007.

- (b) Unless modified by court order for good cause shown, all discovery must be commenced in time to be completed by October 1, 2007.

6. Pre-trial conference:

The parties request a final pretrial conference in January 2008.

7. Trial:

This case should be ready for trial by March 24, 2008, and at this time is expected to take approximately 3-4 days for trial.

8. Final Lists:

Final lists of trial witnesses and exhibits under Fed. R. Civ. P. 26(a)(3) must be served and filed:

- (a) By the plaintiff: Thirty (30) days before the trial date.
(b) By the defendant: Thirty (30) days before the trial date.

Objections are to be filed within 15 days after service of final lists of trial witnesses and evidence.

9. Scheduling Conference:

The Parties do not request a scheduling conference prior to the entry of the Scheduling order.

Respectfully Submitted,

/s/ Gary E. Atchison
Counsel for Plaintiff

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/s/ William C. Barker
Counsel for Defendant

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